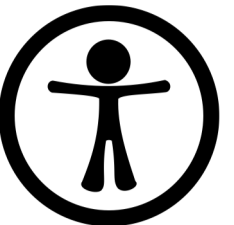# Accessibility Exceptions Process

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# What Is Accessibility (recap)

- Accessibility is proactive
- Accessibility makes content available to all users
- Accessibility targets populations, not individuals
- Accessibility is less complicated than Accommodations, but the scope of the challenge means it requires everyone's contribution; we all must own the responsibility for our own content.

For example: *A textbook that is available in a screen reader accessible PDF format is accessible.*

# And so Accommodations are

- Accommodations are reactive
- Accommodations make content available to one specific person
- Accommodations target individuals
- Accommodations are often more challenging, but are supported or provided by the Office of Disability Services

For example: *providing a sign language interpreter for a student with a hearing disability is an accommodation for that one student.*

# Why Exceptions?

- Need to continue to provide instruction while we work on solutions for complex accessibility problems.

- Document efforts to improve

- Document areas where accessibility is not possible

# Who is helped by the exception?

- The instructor or service provider
  - With the exception they are now compliant with university policy
- Office of Disability Services
  - The Exceptions DB will provide a head start on identifying and accommodating problems for students with disabilities
- The University
  - Concrete data to demonstrate our efforts to improve accessibility
- The Students
  - Get accommodations faster and easier

# WSU Policies

"All University owned or contracted content, interfaces, and navigation elements to be used by WSU faculty, staff, students, or other WSU constituencies will be compliant with the Americans with Disabilities Act, as amended, and will be accessible to people with disabilities."

"All instructional materials, co-curricular materials, Electronic and Information Technology (EIT), LMS's, and online courses created or used by a WSU department or instructional staff with any WSU academic course offering will be accessible to students with disabilities, and at the same time as they are available to any other student enrolled in that setting, to the best of WSU's ability."

Any educational materials or content that is required, optional, or for enrichment for any WSU student will be accessible or an equally effective alternate access will be provided.

Any non-accessible instructional materials required, optional, or for enrichment must be approved in writing by the Provost and Senior Vice President or designee prior to ordering.

In rare situations, conformance to WCAG 2.0 AA guidelines may be an "undue burden" due to the nature of the content, purpose of the resource, lack of accessible solutions, or an unreasonably high administrative or financial cost necessary to make the resource meet that goal. These difficulties do not relieve WSU programs and activities from meeting applicable legal obligations to provide reasonable accommodations to users in regard to access to the content and services provided.

In cases where undue burden is determined, WSU programs and activities must provide content and/or services in a suitable alternative format (for example, electronic text file or audio description) or manner upon request. In cases where there is an undue burden, WSU should seek to provide auxiliary aids and services if possible. An exception based on an undue burden must be approved in writing by the Provost and Senior Vice President or designee.

# Important Takeaways

- Our policy is that we provide accessible instruction
- Our policy concedes that exceptions will be necessary, but they should be rare
- Exceptions to accessibility can be granted, but require the approval of the Provost or his designee.

# Making an exception

What should be considered?

# A tip of the hat: Ohio State Univ.

- Ohio State University's Exceptions Process is the model for what we are implementing
- OSU is an important leader in Higher Ed Accessibility

- Anything that is necessary to succeed in the class
  - Required materials
  - Class activities
  - Enrichment materials and activities

# Exceptions Request Includes:

A. Rational for exception

B. Plans for accommodation

C. Plans for communication

D. Plans for future compliance

# A. Rationale for Exceptions

- Compliance is not technically possible or feasible given current technology

- For third party and/or vendor delivered products, no accessible and equally effective alternative for the information or service exists

- The information or service is used by a limited audience which has no known need for accessibility features

- Making the Information or Service accessible would require extraordinary measures that constitute an undue burden to the university

- The limited audience exception should only be used very sparingly
  - Not for content that will be used repeatedly
  - Not for audiences we don't know for sure (including most classes)

- Citing an undue burden is not recommended
  - The burden is measured against the resources of the entire university
  - So, while it may be difficult and time consuming, it does not rise to the level of undue burden until it is an undue burden for the entire university to take on that challenge.

- When an exception is requested, a plan for accommodation will need to be made
  - What will be done to accommodate students who enter the course and can't access the content or activity?
  - What resources are available? What resources will be necessary?

# Example Accommodation Plans

- An audio version of the content is available as an accommodation
- An accessible PDF is available from the publisher on request in the case of a student with a disability
- The textbook is not available in a digital format. It will need to be scanned and OCR'ed.
- A student assistant will be provided to assist a student with a disability during the lab components of the course

# C. Communication Plan

- Information about available Accommodations must be communicated to students
  - Will it be included in the course syllabus?
  - Will it be addressed in the introduction to the course, or the unit that involves the resource?

# D. Compliance Plan

- Exception plans should include a plan that will lead to an accessible outcome in the future if possible
  - Some exceptions will be for resources or activities that will probably always need to be exceptions
  - Others will be temporary, and should address how they will work towards a future where the exception is not necessary.
- Your exception request will include a plan to reach Compliance in the future
- Future exceptions will be expected to demonstrate progress or that progress was not possible
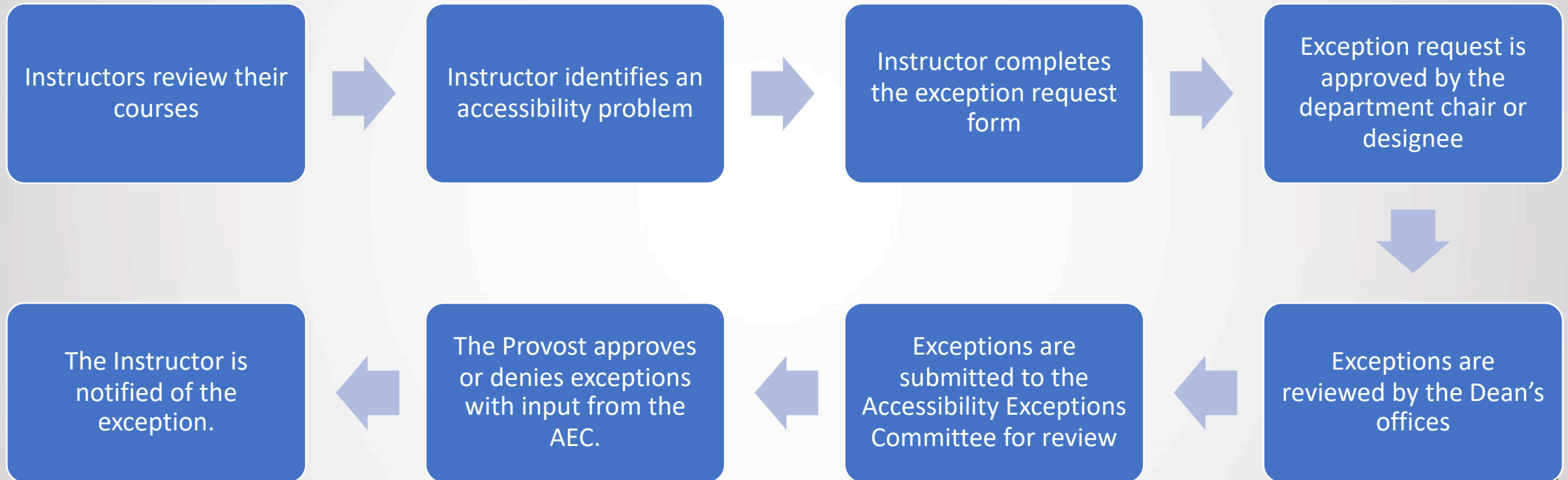
# Process Walkthrough

- An exception is based on a particular design for a course.
  - Courses, Course Numbers, and Course Designs are not the same things.
    - A Course number, or even a course, might be designed and taught differently by different instructors
    - A Course might be taught by many instructors using the same design
  - Because of that complexity, exceptions need to be evaluated for every course design.
- If an instructor is teaching a course that does not require an exception (because all content and activities are accessible) no documentation is necessary.

# The Exceptions Process

Instructors review their courses → Instructor identifies an accessibility problem → Instructor completes the exception request form → Exception request is approved by the department chair or designee

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The Instructor is notified of the exception. ← The Provost approves or denies exceptions with input from the AEC. ← Exceptions are submitted to the Accessibility Exceptions Committee for review ← Exceptions are reviewed by the Dean's offices

# Instructors Review Courses

- Self-Review of course
  - Resource Provided: Accessibility Self-Audit tool provided by IDA
  - On-Demand self-review training
- Key Areas of focus:
  - Textbooks and textbook-related resources
  - Instructor-generated resources
  - Online components
  - Labs and learning activities

- Is there a way to resolve the accessibility problem?
  - If yes, pursue that instead of the exception
  - If no, continue to request the exception by describing:
    - the way in which the resource or activity is not accessible
    - the rationale for requesting the exception

- First Step: Department Chair (or designee)
  - Ensure that the documentation is complete
  - Content or subject-matter-based evaluation of request is reviewed
    - If there are alternative textbooks that are accessible but in other ways inferior to the one being used, that evaluation needs to be vetted by the department
  - Review and evaluate that appropriate efforts are being made

- Dean's office in each college collects the exceptions
    - Reviews exceptions
- This step provides the Deans with the opportunity to take additional action as they see fit

# Exceptions Approvals: Review Committee

- Accessibility Exceptions Review Committee reviews and evaluates exceptions
  - Develop reporting and data gathering on exceptions
  - Compile vendor and publisher data as it becomes available
  - Submit Exceptions to the Provost (or his designee) for approval

- Provost Approves or denies exceptions; Deans, department chairs, and instructors are notified.

- An exception might be denied if:
  - The rationale (or other critical parts of the exception request) is not adequate
  - There are accessible alternatives that are not clearly established as inferior to the inaccessible option
- If your exception is denied
  - Rewrite the exception (with help from IDA/the MRC)
  - Adapt to the
- An Appeal process will be developed
  - For now, contact the Accessibility Coordinator (Molly Gordon) to discuss the situation.

- Think carefully about the basis for your exceptions
- Get help writing your accommodations plans
  - IDA's Blackboard and Accessibility labs
- Think about how solutions will be most effective

# Thank You, Questions?